



Linda S. Adams
Secretary for
Environmental Protection



Department of Toxic Substances Control

Maziar Movassaghi, Acting Director
700 Heinz Avenue
Berkeley, California 94710-2721



Arnold Schwarzenegger
Governor

3/26/09

NCRWQCB

Ms. Lauren Clyde
North Coast Regional Water Quality Control Board
5550 Skylane Boulevard, Suite A
Santa Rosa, California 95403

MAR 30 2009

<input type="checkbox"/> EO	<input checked="" type="checkbox"/> WMgmt <i>LC</i>	<input type="checkbox"/> Admin
<input type="checkbox"/> AEO	<input type="checkbox"/> Timber	<input type="checkbox"/> Legal
<input type="checkbox"/> Reg/NPS	<input type="checkbox"/> Cleanups	<input type="checkbox"/> Date

LOW THREAT DISCHARGE BASIN PLAN AMENDMENT

Dear Ms Clyde:

Thank you for the opportunity to review the Board's subject Amendment. We regret that our comments are not timely, but we hope that the Board may find them useful in preparing the final Amendment nonetheless.

The Department of Toxic Substances Control wishes to emphasize the importance of ensuring that assumptions regarding the effectiveness of Best Management Practices, the nature of pollutants relevant to this Amendment, and other pollution prevention strategies are confirmed. We also wish to ensure that compliance with Chapters 6.5 and 6.8 of the California Health and Safety Code are an element, implicit or explicit, of the Amendment.

In particular, the Amendment suggests that pollutants from projects such as draining of foundations, footings and crawl spaces are likely to be insignificant, and that such contaminant loads might be reduced to insignificance by separating flows and removing suspended sediments. It is our experience that pesticide source loads are frequently significant, due to poor application practices, or application practices that resulted in high concentrations of structural pesticides. Further, while some pesticide residuals adhere to suspended sediments and would be subject to removal by filtering or settling of sediments, some structural pesticides dissolve readily in water and would not be removed by settling.

Additionally, the Amendment suggests that pollutants from dewatering of dredge spoils are likely to be insignificant. This would of course largely depend on the source of the dredge spoils, and in our experience, many such sources are significantly contaminated with a variety of hazardous substances or hazardous waste constituents.

Should any of the releases be associated with level of contaminants that would make the discharge a hazardous waste or hazardous substance, provisions of Chapter 6.5

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and/or 6.8 of the Health and Safety Code might apply, and would need to be considered in specific discharges or accounted for in the blanket determination of low threat.

If you have any questions, please contact me at (510) 540-3772.

Sincerely,

A handwritten signature in black ink, appearing to read 'DMurphy', with a long horizontal flourish extending to the right.

Daniel Murphy, P.E.

Unit Chief

Brownfields & Environmental Restoration Program